

AMENDED IN ASSEMBLY MARCH 18, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2169**

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**Introduced by Assembly Member Gilmore**

February 18, 2010

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An act to amend Section ~~2157~~ 2101 of the Elections Code, relating to voter registration.

LEGISLATIVE COUNSEL'S DIGEST

AB 2169, as amended, Gilmore. Voter registration: ~~requirements~~ *eligibility*.

*Existing law requires that a person, in order to be eligible to register to vote, be a United States citizen, a resident of California, not in prison or on parole for the conviction of a felony, and at least 18 years of age at the time of the next election.*

*This bill would specify that, for purposes of those eligibility requirements and all other purposes of the Elections Code, "in prison or on parole for the conviction of a felony" includes incarceration in a county jail, or other alternative sentence, resulting from a felony conviction.*

~~Existing law sets forth the procedures for registering to vote and processing voter registration information and requires the Secretary of State to adopt regulations that prescribe the form of the voter's affidavit of registration.~~

~~This bill would make a nonsubstantive change to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 2101 of the Elections Code is amended*  
2     *to read:*

3     2101. (a) A person entitled to register to vote shall be a United  
4     States citizen, a resident of California, not in prison or on parole  
5     for the conviction of a felony, and at least 18 years of age at the  
6     time of the next election.

7     (b) *For purposes of this section and all other purposes of this*  
8     *code, “in prison or on parole for the conviction of a felony”*  
9     *includes incarceration in a county jail, or other alternative*  
10    *sentence, resulting from a felony conviction.*

11    ~~SECTION 1. Section 2157 of the Elections Code is amended~~  
12    ~~to read:~~

13    ~~2157. (a) Subject to this chapter, the affidavit of registration~~  
14    ~~shall be in a form prescribed by regulations adopted by the~~  
15    ~~Secretary of State. The affidavit shall comply with all of the~~  
16    ~~following:~~

17    ~~(1) Contain the information prescribed in Section 2150.~~

18    ~~(2) Be sufficiently uniform among the separate counties to allow~~  
19    ~~for the processing and use by one county of an affidavit completed~~  
20    ~~in another county.~~

21    ~~(3) Allow for the inclusion of informational language to meet~~  
22    ~~the specific needs of that county, including, but not limited to, the~~  
23    ~~return address of the elections official in that county, and a~~  
24    ~~telephone number at which a voter can obtain elections information~~  
25    ~~in that county.~~

26    ~~(4) Be included on one portion of a multipart card, to be known~~  
27    ~~as a voter registration card, the other portions of which shall include~~  
28    ~~information sufficient to facilitate completion and mailing of the~~  
29    ~~affidavit. The affidavit portion of the multipart card shall be~~  
30    ~~numbered according to regulations adopted by the Secretary of~~  
31    ~~State. For purposes of facilitating the distribution of voter~~  
32    ~~registration cards as provided in Section 2158, there shall be~~  
33    ~~attached to the affidavit portion a receipt. The receipt shall be~~  
34    ~~separated from the body of the affidavit by a perforated line.~~

35    ~~(5) Contain, in a type size and color of ink that is clearly~~  
36    ~~distinguishable from surrounding text, a statement identical or~~  
37    ~~substantially similar to the following:~~

1   ~~“Certain voters facing life-threatening situations may qualify~~  
2 ~~for confidential voter status. For more information, please contact~~  
3 ~~the Secretary of State’s Safe At Home program or visit the~~  
4 ~~Secretary of State’s Web site at [www.ss.ca.gov](http://www.ss.ca.gov).”~~

5   ~~(6) Contain, in a type size and color of ink that is clearly~~  
6 ~~distinguishable from surrounding text, a statement that the use of~~  
7 ~~voter registration information for commercial purposes is a~~  
8 ~~misdemeanor pursuant to subdivision (a) of Section 2194, and any~~  
9 ~~suspected misuse shall be reported to the Secretary of State.~~

10   ~~(7) Contain a toll-free fraud hotline telephone number~~  
11 ~~maintained by the Secretary of State that the public may use to~~  
12 ~~report suspected fraudulent activity concerning misuse of voter~~  
13 ~~registration information.~~

14   ~~(8) Be returnable to the county elections official as a~~  
15 ~~self-enclosed mailer with postage prepaid by the Secretary of State.~~

16   ~~(b) Nothing contained in this division shall prevent the use of~~  
17 ~~voter registration cards and affidavits of registration in existence~~  
18 ~~on the effective date of this section and produced pursuant to~~  
19 ~~regulations of the Secretary of State, and all references to voter~~  
20 ~~registration cards and affidavits in this division shall be applied to~~  
21 ~~the existing voter registration cards and affidavits of registration.~~

22   ~~(c) The Secretary of State may continue to supply existing~~  
23 ~~affidavits of registration prior to printing new or revised forms~~  
24 ~~that reflect the changes required pursuant to this section, Section~~  
25 ~~2150, or Section 2160.~~